**THE HON'BLE SRI JUSTICE BILAL NAZKI**
**AND**
**THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO**

**WRIT PETITION NO.3943 OF 2007**

**DATED 05-03-2007**

**Between**:

1.K.Karuna and 2 others.

…**Petitioner**

And

1.The Government of Andhra Pradesh,
Finance (P.C.-1) Department,
Rep. by Secretary to Government (F.P.0,
Secretariat, Hyderabad and 2 others.

…**Respondents**

**The Hon'ble Sri Justice Bilal Nazki**

**and**

**The Hon'ble Sri Justice Nooty Ramamohana Rao**

**Writ Petition No.3943 of 2007**

**O R D E R** *(Per the Hon'ble Sri Justice Bilal Nazki):*

Certain advance increments were paid to the petitioners on the basis that they had acquired higher qualification of L.L.B., while in service, but, on 02-05-2006, the second respondent passed an order, by which, the recoveries were ordered, as the petitioners were held not entitled to additional increments.

This controversy was considered by this Court earlier in W.P.No.11808 of 2006, dated 08-11-2006. In the said judgment, this Court found that the petitioners therein were not entitled to any additional increments. However, we also stated that,

> *'At this stage, it is submitted by learned Counsel for the writ petitioners that the writ petitioners themselves are not Drawing and Disbursing officers, they never enquired whether they were entitled to such benefit or not, they got increments of Rs.100/- to Rs.250/- by the orders of their superior authorities, and after drawing these benefits for some time, it will be very harsh on these poor employees to reimburse the amount already withdrawn*
>
> *In view of the same, we feel that it*

*will not be just and proper to insist for recovery of the amounts, which were already paid to the writ petitioners.'*

Following the same directions, we dispose of this Writ Petition by directing the respondents that the amounts already paid by way of advance increments shall not be recovered from the writ petitioners. No costs.

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(***Bilal Nazki, J***)

**Dated 5th March, 2007**

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(***Nooty Ramamohana Rao,J***)

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